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TO RUEHGB/AMEMBASSY BAGHDAD IMMEDIATE 0517
INFO IRAQ COLLECTIVE IMMEDIATE
UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 STATE 092332

SIPDIS
EMBASSY BAGHDAD FOR ECONOFF GREG THOME

E.O. 12958: DECL: 08/26/2018
TAGS: [ETTC](#) [EFIN](#) [PREL](#) [PTER](#) [IZ](#) [RU](#) [UK](#)
SUBJECT: DEMARCHE REQUEST: CONTINUE ENGAGING GOI ON DRAFT
UNSCR FOR TERRORIST FINANCING IN IRAQ

REF: A. BAGHDAD 1513
[1](#)B. SECSTATE 49806
[1](#)C. RICHARDS-LINES EMAIL 05/26/08
[1](#)D. SECSTATE 65834
[1](#)E. ROLAND-LINES EMAIL 08/11/08

Classified By: IO PDAS Jim Warlick for Reasons 1.4(b) and (d).

[1](#)1. (U) This is an action request. See paragraphs 4, 5, 6, 7 and 8.

[1](#)2. (C) Per Refs A-D, Embassy Baghdad has shared with the GOI the draft text of a UNSC resolution that imposes targeted sanctions on individuals or entities that engage in or provide support for acts of violence that threaten Iraq's peace and security. The GOI has indicated that the text of the resolution, as included in Ref D, is largely acceptable, with the following reservations:

-- The GOI would like the text of paragraph 10 of the preamble to read: "Stressing the fact that terrorism and the individuals and entities associated with it represent a serious threat to international peace and security."
Paragraph 10 currently reads: "Determining that the situation in Iraq constitutes a threat to international peace and security."

-- Some elements of the GOI may be unhappy with the reference to Chapter VII and predict that PM Maliki's office will argue for its deletion.

[1](#)3. (C) In addition, the GOI has yet to endorse the list of individuals and entities that were included in the annex to the resolution in Ref D. According to the MFA contact, GOI security services have produced a list of additional names for inclusion. However, the contact was not ready to hand these over to Embassy Baghdad, since he was still waiting for the security services to provide sufficient justification for their inclusion.

[1](#)4. (C) Action Request: Post is requested to urge the GOI to come to agreement on the list of seven names provided by the USG for inclusion in the annex. Post should also use the talking points in paragraph 7 to persuade the GOI to save any additional suggested names for a second tranche, to be considered in the 1518 committee, after the resolution has been adopted.

[1](#)5. (C) Post is also requested to share the talking points in paragraph 8 to persuade the GOI to accept a different formulation of paragraph 10 of the preamble. After we are in agreement with the GOI on the list of names and the text of the resolution, Department will send further guidance with talking points for the GOI to draw from when engaging the P-5.

[1](#)6. (C) Post should report by September 1 the results of its efforts with regard to the annex and the formulation of

paragraph 10 of the preamble. With regard to the points on the use of Chapter VII, Post is requested to address these issues with the GOI at the appropriate level. The timing of these efforts is left to Post's discretion and should be coordinated with SFA/SOFA negotiators so as to balance against other policy priorities. IO/UNP POC is Bridget Lines at LinesBM@state.gov or 202-647-7142.

17. (C) Begin talking points on the Annex:

-- Thank the GOI for its efforts in identifying additional targets for inclusion in the Annex and ask to review these targets as soon as possible.

-- We will work with the GOI to develop Statements of Case on these additional names for a second tranche to be considered by the 1518 committee after the amendment has been adopted.

-- It is our belief that adding more targets to the UNSCR at this time is likely to delay the passage of the amendment at the UNSC.

18. (C) Begin talking points on paragraph 10 of the preamble:

-- In order to pass a sanctions resolution, the Council must determine the existence of a threat to international

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peace and security.

-- Our strong preference is to refer to "the situation in Iraq" in this paragraph because it is the most standard and least controversial formulation. Any other formulation would raise questions from other Council members and give them a pretext for stalling or opposing the resolution.

-- The language characterizing the threat determination in this paragraph should correspond reasonably closely with the scope of the designation criteria outlined in OP2. A general reference to terrorism and those entities associated with it is too broad and ambiguous.

-- We also prefer to avoid references to terrorism. Even though this paragraph would not directly affect the type of entities that could be targeted (this would be determined by the criteria in OP2), we would like to limit as much as possible references to terrorism, since the use of this word might create obstacles and stir opposition for the resolution in the Council. The UN already has three counter-terrorism committees, and many Council members would be less inclined to support this resolution if they view it as another initiative focused on terrorism, vice Iraq.

-- If the GOI prefers to avoid a general reference to the situation in Iraq, we are willing to suggest the following alternative: "Determining that those engaged in acts of violence aimed at undermining stability in Iraq constitute a threat to international peace and security in the region."

-- If the GOI prefers to avoid use of the word "determining," we are willing to provide alternative language. However, an explanation for their opposition to this word would first be necessary to draft alternative language that would address their concerns.

19. (C) Begin talking points on Chapter VII:

-- Any UNSC resolution imposing sanctions must be legally binding or it will not be enforceable. The Security Council may only impose legally binding sanctions pursuant to its authority under Chapter VII of the UN Charter. UNSC resolutions that establish other targeted sanctions

regimes (e.g., 1267 (Al-Qaida/Taliban) or UNSCR 1483 (officials of the former Iraqi regime)) clearly reflect that the Council is "acting under Chapter VII."

-- Although the Council must act under Chapter VII to impose the measures contained in this resolution, the resolution does not establish a new UNSC sanctions committee. Instead, it merely expands the mandate of an existing committee, established under resolution 1518 (2003), which currently applies and monitors implementation of sanctions with respect to members of the former Iraqi regime, as identified in UNSCR 1483. The GOI's aversion to new Chapter VII mandates was taken into consideration during the drafting of this resolution, and this committee was the most logical mandate that could be revised to include the new targets.

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